

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

CASE NO. 1:19cr00016

**INDIVIOR INC. (a/k/a Reckitt Benckiser
Pharmaceuticals Inc.) and
INDIVIOR PLC**

**DEFENDANTS' MOTION TO DISMISS THE INDICTMENT
FOR ALLEGING THE CONVICTION OF "DOCTOR D"
TO PROVE THE GUILT OF INDIVIOR**

For the reasons set forth in the accompanying memorandum of law, Defendants Indivior Inc. and Indivior PLC ("Defendants" or "Indivior") respectfully move to dismiss the Indictment in the above-captioned matter. The Defendants further respectfully move for this Court to order proceedings to determine whether the dismissal must be with prejudice due to willful government misconduct, including (1) disclosure to Indivior of all grand jury proceedings related to the individual identified as Doctor D in the Indictment, including all exhibits, witness testimony, and colloquy between prosecutors and the grand jury, and all proceedings that must be recorded by a court reporter or by a suitable recording device pursuant to Fed. R. Crim. P. 6(e)(1); (2) disclosure to Indivior of all colloquy by which the prosecutors summarized the evidence for the grand jury, presented the Indictment, and instructed the grand jury as to the law; (3) disclosure to Indivior of all other colloquy between prosecutors and the grand jury, for any evidence bearing on the question of willful misconduct; and (4) such other proceedings as may be just and proper. Indivior respectfully requests that this Court hold a hearing on this Motion at a date and time convenient for the Court.

Dated: July 19, 2019

Respectfully submitted,

INDIVIOR INC. (a/k/a Reckitt Benckiser
Pharmaceuticals Inc.) and INDIVIOR PLC

/s/ Peter J. Romatowski

By Counsel

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CERTIFICATE OF SERVICE

I hereby certify that I caused the foregoing to be presented to the Clerk of the Court for filing and uploading to the CM/ECF system, which will send notification of such filing to all counsel of record, on this 19th day of July, 2019.

/s/ Thomas J. Bondurant, Jr. _____

Counsel for Defendants